



Rules and Regulations Westford Water Department

**60 Forge Village Road
Westford, MA 01886
Phone 978-692-5529
Fax 978-692-5530**

Operated under Section 42-A to 42-F inclusive, of Chapter 40 of Massachusetts General Laws

RULES AND REGULATIONS

Approved at the October 5, 1993 Water Commissioners meeting, effective January 1, 1994
Section F.4 approved May 19, 1998 Water Commissioners meeting, effective July 1, 1998
Approved at the March 16, 2005 Water Commissioners meeting, effective March 16, 2005
Approved at the November 16, 2005 Water Commissioners meeting, effective November 16, 2005.
Section F Amended and Approved January 17, 2007 Water Commissioners meeting, effective January 17, 2007
Section F Amended and Approved May 7, 2008 Water Commissioners meeting, effective May 7, 2008

APPENDIX 1. SCHEDULE OF WATER RATES AND CHARGES

Approved at the October 5, 1993 Water Commissioners meeting, effective January 1, 1994
Approved at the November 15, 2000 Water Commissioners meeting, effective January 1, 2001
Approved at the June 22, 2005 Water Commissioners meeting, effective September 1, 2005
Approved at the December 5, 2007 Water Commissioners meeting, effective January 1, 2008
Approved at the June 4, 2008 Water Commissioners meeting, effective July 1, 2008
Approved March 18, 2009 Water Commissioners meeting, effective July 1, 2009
Approved November 18, 2009 Water Commissioners meeting, effective November 18, 2009

APPENDIX 2. SCHEDULE OF SERVICE RATES

Approved at the May 19, 1998 Water Commissioners meeting, effective July 1, 1998
Approved at the November 15, 2000 Water Commissioners meeting, effective January 1, 2001
Approved at the June 22, 2005 Water Commissioners meeting, effective September 1, 2005
Approved at the November 16, 2005 Water Commissioners meeting, effective November 16, 2005.
Approved June 18, 2008 Water Commissioners meeting, effective July 1, 2008

APPENDIX 3. SCHEDULE OF SYSTEM DEVELOPMENT FEES

Approved at the October 5, 1993 Water Commissioners meeting, effective January 1, 1994
Approved at the May 19, 1998 Water Commissioners meeting, effective July 1, 1998
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Approved at the November 15, 2000 Water Commissioners meeting, effective January 1, 2001
Approved at the June 18, 2008 Water Commissioners meeting, effective July 1, 2008

The following regulations are a part of the contract with every person who takes water and govern the relations between the Water Department and its consumers and Contractor/Developers who install water systems.

All prior and existing rules and regulations are hereby rescinded and these rules and regulations substituted in place thereof except that where notice has already been given, or steps taken to enforce the payment of overdue water bills, the Water Department shall continue to have the right to proceed with such enforcement under the terms and conditions of the rules and regulations then in effect.

A. DEFINITIONS

1. The term "Consumer" shall mean the individual, firm or corporation whose name the Water Department has on its books as the party who has applied for water service or any individual, firm or corporation who, in fact, uses the water service of the Town of Westford.
2. "Expanded service" shall mean any increase in the number of living units or dwelling units to be served from an existing connection or service pipe and shall also include any increase in the size of the water service pipe and/or water meter.
3. A "main" is the supply pipe laid in the street, from which house connections are made.
4. A "service pipe" is the pipe running from the main in the street to include a curb stop and curb box at the property line, a shutoff valve, meter and meter valve usually inside the cellar wall.
5. A "service" is a separate household of one or more people, stores, garages, laundries, manufacturing establishments, or, that which, in the opinion of the Water Commissioners, constitutes a service and a minimum charge per quarter shall be billed for each service.
6. A "System Development Charge," (SDC), is a fee charged to new or expanded services to reflect the cost of the water system previously paid for by others.

B. METERS

1. All water services shall be metered and where there is more than one tenant or occupant on the premises, the meter rates and rules and regulations of the Water Department shall apply to each. In all cases, the owner of the property supplied shall be held responsible for the water rates and all other charges, including that of all tenants or occupants.
2. There shall be a meter for every service and no person shall attach or cause to be attached, a pipe to a metered service pipe or main for the purpose of furnishing water to a non-metered building, except with the written consent of a majority of the water commissioners. Anyone violating this rule may be charged a full rate for each violation.
3. On all dwelling houses, apartments and condominiums, a minimum charge shall be made for each family or living unit for which the owner or owners shall be liable, if it is desired that all water flow through one meter. Larger quantities of water shall be charged on the above same basis.
 - a) On all business and/or professional buildings, for non-dwelling use, there shall be a charge for each toilet and/or lavatory facility, for which the owner shall be liable.

- b) The superintendent or authorized agent shall be empowered by the commissioners to confer with the owner or his agent to establish the number of facilities for which the minimum service charge shall be made. The minimum charge will be added to the charge for water at the rates established under the rules and regulations for the Water Department.
- 4. The Water Department will furnish, install and/or supervise installations, seal and maintain all meters and remote readers. The Owner will provide a readily accessible, adequate and proper space or housing, heated if necessary, to protect same from freezing. The cost of repair or replacement of seals, meters or remote readers, damaged by freezing, neglect, tampering or vandalism shall be paid by the property owner. All metering equipment is the property of the town.
- 5. Meters, readers and seals may not be removed except by or under the supervision of the Water Department personnel. Only Water Department personnel may remove or replace seals, which if broken, may indicate the meter has been tampered with.
- 6. The Water Department is not responsible for leaks on the user's side of the meter or the user's premises. Water passing through a meter is considered to be consumed.
- 7. The accuracy of the meter on any premise will be tested by the Water Department upon written request of the owner, who shall pay in advance a fee (see section F) to cover the cost of the test. If, on such a test the meter is found to register greater than 2% more water than actually passes through it, the meter will be repaired and the fee will be refunded. The water bill for the current period will be adjusted in accordance with the result of the test. If however, it appears the person was charged or has paid for less water than he/she should have been charged for or should have paid for; he/she shall be charged with the proper additional amount and shall pay the same, together with the expense of the examination and test, to the Water Department.
 - a) Based on AWWA Standard ANSI/AWWA C700-90, all meters must be tested and/or repaired by Agents or representatives of the Westford Water Department at the Owners expense at the following intervals:
 - 5/8" – every 10 years
 - 1" – every 6 years
 - 1 1/2" and up – every 4 years
- 8. Agents or representatives of the Water Department may enter the premises of the water taker at all times for the purpose of reading meters, inspecting or examining pipes, fixtures or attachments used by the owner, tenant or occupant.
- 9. The Consumer should notify the Water Department if the building is vacant and it is desired to shut off the water. The Owner will be responsible for a turn off charge and a turn on charge if the service is reactivated. The Owner will also be charged a minimum water usage bill if water is left on.
- 10. If a meter fails to register or is determined to be out of order, the Consumer will be charged at the average daily consumption as shown by the meter when in order for the corresponding period of two years preceding.
- 11. For those Consumers having outside recorders, the Water Department will periodically read the inside meter to verify the accuracy of the outside recorder. In case of a discrepancy between the two readings, the inside meter reading will be considered the true reading, and the Consumer's bill will be adjusted accordingly.

C. SERVICE CONNECTIONS

1. Service connections shall be made under the direction of the Water Department. No dwelling, house, or other building or structure shall be connected by any service pipe, nor shall any person otherwise use water supplied by the town, without the consent of the Water Department. Any person violating this section is subject to prosecution under the provisions of Chapter 165, Section 11 of the Massachusetts General Laws.
2. Request for water service connections or for expanded service shall be made by the owner or his agent on application forms provided for that purpose.
 - a. Applications must be filed at least two (2) weeks prior to the work being performed along with the Application Fee listed in Appendix 3 (the Department's System Development Charges); this applies to both water service connections and expanded service.
 - b. The estimated cost of water service connections or expanded service will be furnished by the Water Department. Any difference in the total cost and the estimate will be charged or refunded to the owner.
 - c. The Applicant shall also pay the full amount of the System Development Charge listed in Appendix 3 (Department's System Development Charges) with the Application for a new or expanded service.
 - d. In the case of developments or projects that involve different phases of construction, the Applicant may pay the applicable System Development Charge for each phase separately or for all phases at once.
 - I. If the Applicant pays the applicable System Development Charge for all phases at once, the System Development Charge will be that which is in effect at the time of the payment.
 - II. If the Applicant elects to pay for each phase of development separately, an additional Application must be submitted with the Application Fee for each phase. The System Development Charge in effect at the time the Application is submitted will be applied for each phase.
3. The Water Department will not allow the water to be turned on to any new service unless all charges and fees due the Water Department have been paid. A final inspection of the new installation or property transfer may be performed at the meter reading for the closing.
4. The Water Department shall furnish, install and/or supervise the installation of all service pipes from the street main to the inside basement wall, or such other point on the owners premises as he shall designate, and a suitable place shall be provided for the water meter.
5. The Water Department, in no way, assumes any responsibility for frozen service lines. Necessary thawing of lines and or repairs are the responsibility of the owner, and bills submitted for these charges are payable upon presentation.
6. The Water Department, in no way, assumes any responsibility of lawns or replacement of shrubs damaged in the performance of this work.
7. The Owner, Tenant or occupant shall not permit unauthorized persons to have access to, or interfere with a water meter and shall provide for its safe-keeping. Failure to comply will result in discontinuance of service. The owner shall maintain in good condition all outside service pipes and fittings from the street main through the meter and shall protect same from freezing. Necessary repairs to meters and outside lines from the street main, including complete service

replacement, are the responsibility of the owner, and bills submitted for these charges are payable upon presentation.

8. When a leak occurs on a service pipe (including the meter), the Consumer is responsible for making repairs at once.
9. A water service may be shut off after five (5) days written notice, if the consumer does not comply with these rules and regulations. A cost of shutting off and turning on the service is included in section F.
10. No other source of water shall be connected to any pipe of the Water Department.
 - a) No person shall maintain upon premises which they own or occupy, a physical cross-connection between the distribution system of a public water supply, the water of which is being used for drinking, domestic, or culinary purposes, and the distribution system of any unapproved water supply, unless the installation has been approved by the Water Department and permits have been issued in accordance with the Drinking Water Regulations of the Department of Environmental Protection.
 - b) That the Water Department shall have the authority to terminate any water source to any facility where cross-connections are maintained without required backflow prevention devices which have been approved by the Water Department.
 - c) That the Commissioners shall enact such Cross Connection Program and Regulations as are necessary to protect the public potable water supply served by the Water Department from the possibility of contamination or pollution by isolating within it's customers' internal distribution system, such contaminants or pollutants which could backflow or back siphon into the public water system; and to promote the elimination or control of existing cross connections between its customers; and to provide for maintenance of a continuing program of cross connection control which will effectively prevent the contamination or pollution of all potable water systems by cross connection.
11. Any person making application for water use having a design demand in excess of 5,000 gallons per day, shall submit a concept plan with sufficient information so that the Water Department can generate a Water Impact Report. This report shall:
 - 1) define the plan's impact on the town's current/future water demand and existing water supply system, and
 - 2) stipulate conditions that the applicant shall meet to mitigate the effects of this impact.The Water Impact Report shall be reviewed and approved by the Water Commissioners. Costs associated with generating the Water Impact Report shall be borne by the applicant.

D. NON LIABILITY

1. The Town does not guarantee constant pressure nor uninterrupted service, nor does it assure the consumer more than 20 pounds of pressure, and does not assure the consumer either a full volume of water or the required pressure per square inch to effectively operate hydraulic elevators, sprinkler systems or other appliances, the same being subject to all the variable conditions that may take place in the use of water from the Town mains.
2. No consumer shall be entitled to damages, or to have payment refunded, for any interruptions of supply occasioned either by accident to any portion of the works, or by shutting off for the purpose of additions or repairs to the works, or by the stoppage or shortage of supply due to causes beyond the control of the Water

Department, such as excessive drought, excessive use of and waste of water by other consumers, or by leaks or defects in the pipes or appliances owned by him, the Water Department or other consumers.

3. The Town will not be responsible for damages caused by dirty water resulting from the opening or closing of any gate valve, the use of any hydrant, the breaking of any pipe, or any other situation that may result in a discoloration of the water.
4. The Town assumes no liability for conditions which exist in consumers' pipes and which cause trouble coincident to or following the repairs of any main pipe or service pipe, meter or other appliance belonging to the Water Department.
5. The Water Department reserves the right at any time without notice to shut off the water in the mains for purpose of making repairs, extensions or for any other necessary purposes. Persons having boilers or other appliances on their premises that depend on pressure in the pipes to keep them supplied with water, are hereby CAUTIONED against danger from these sources, and are required to provide, at their own expense, suitable safety appliances to protect themselves against such danger. In any event, it is expressly stipulated that the Water Department will not be liable for any damage resulting from water having been cut off, either through accident or necessity.
6. The Water Department will endeavor to give due notice to as many of the consumers affected as time and character of the work permit whenever it may be necessary to shut off the supply from any section of the system to make repairs or changes or because of broken mains and will, as far as practical, use every effort to prevent damage or inconvenience; but failure to give such notice will not involve the Water Department in any responsibility or liability for damage arising from any subsequent actions or conditions.

E. GENERAL

1. No new service or water main extension will be permitted during December, January and February except in such cases as the Water Department deem emergencies.
2. The Water Commissioners have the right to restrict the use of water during dry seasons or any other emergencies. Section 169-6 of the Code of Westford which was amended and approved by a Town Meeting vote in May of 1999, details the authority, purpose, definitions, declaration of state of water conservation, the water uses, public notification, termination, state of emergency, penalties and severability provisions of the Westford Water Department.
3. No persons shall turn on or off, or tamper with water mains, valves, hydrants or any other device used for water supply, or install a bypass around a meter without first procuring a written permit to do so from the Superintendent of the Water Department. Any persons violating said section shall be fined no more than two hundred dollars (\$200.00) for each offense, which shall inure to the Water Department or recovered by indictment or on complaint before the District Court or by non-criminal disposition in accordance with section 21D of Chapter 40 of the General Laws. Every day that such violation continues shall constitute a separate offense. This section shall not curtail the fire department or Water Department in the normal course of providing fire protection or water supply.
4. No representative of the Water Department has the authority to change or modify said rules and, the Water Department will not recognize or be bound by any claimed change or modification hereof. The rules and regulations of the Water

Department may be altered or amended at the discretion of the Water Commissioners and shall form a part of the contract with every water taker and all persons taking water from the Department shall be deemed to accede to and be bound thereby. The Water Commissioners reserve the right to change or amend these rules and regulations and to make additions thereto or exceptions therefrom, at any time without advance notice, and to establish and assess penalties for violations, including the right to suspend water service.

F. SUBDIVISIONS AND PROJECTS

The Water Department establishes the following in order to insure the safe and reliable operation of the water system:

1. In all Subdivisions and Projects approved by the Town of Westford Planning Board, the Developer shall furnish and install, as specified by the Board of Water Commissioners, all, water pipes, gates, hydrants, service connections, and necessary fittings to make a complete system and give to the Water Department a quitclaim deed for the same before water is turned into the system.
2. Procedures for connections to the water system where connection will be made in Subdivisions and Projects applicable to the rules and regulations of the Westford Planning Board and those of the Westford Water Department. (See material and installation specifications on file at the Water Department Office.)
3. Three (3) sets of complete plans and three (3) sets of specifications and one design data shall be furnished to the Westford Water Department for approval. Upon approval, one (1) set of plans and specifications will be marked, approved, signed, and returned to the Engineer. If additional copies are required for submission to the Department of Environmental Protection or other agencies, they must be submitted at this time.
4. The Developer of a Subdivision or Project shall file concurrently with the Water Department when submitting a layout plan to the Planning Board, a plan showing in detail the proposed water service mains. The Developer shall also file a request for a water system impact study. This study will be performed by the Water Department and/or its designated consultant and will include the following:
 1. A study of the water system within the Subdivision or Project, involving analysis of flows, pressures and other applicable hydraulic data.
 2. A Study of the Subdivision or Project's impact on the existing water facilities. This work is to be prepared by a qualified professional engineer, registered under the laws of the Commonwealth of Massachusetts.
5. The Board of Water Commissioners will review this report, aided if necessary by a consultant it may elect to employ. The applicant shall pay this cost. The Board of Water Commissioners will make a final decision based on its review of the above as to whether or not to grant permission for the proposed connection.
6. The Board of Water Commissioners shall require the Developer to deposit an amount into an escrow account to cover the cost of all engineering services. Such an account will be controlled solely by the Board of Water Commissioners. All costs associated with establishing said account shall be paid by the proponent of the project. Any unexpended funds and accrued interest shall be returned to the proponent within 30 days upon satisfactory completion of the project.

7. An agreement stating conditions required for the connection and signed by both parties will be needed before the developer will be allowed to make the connection.
8. A rough grade of new roads in new subdivisions is required before laying water pipe.
9. Any water main extension must be extended, at minimum, to the middle of the new lot or further to have the future water service go on a straight run from the street into the foundation.
10. Easements are not approved for water main extensions but may be used at the Department's discretion.
11. For any Subdivision, Project or extension approved after July 1, 1998; when a water main is extended for water service, the developer is responsible to install service connections from the water main to the property line for all existing and future homes, lots, etc. Where full hot-top overlay is required to patch a water main extension trench on an existing way; the developer has the same responsibility for services. However, the Water Department will provide the labor and materials (no trenching or patching) to install the water service connection from the main to the property line.
12. As-Built Drawings shall be in accordance with the standards established by the Utility and shall show complete details of the installation of the Main and appurtenances as required by the Utility including but not limited to:
 - (1) The location of the Main with respect to property lines,
 - (2) The size, make, and location with respect to street corners of all valves and fire hydrants, manholes, and clean outs,
 - (3) The limits and location of any and all special encasements or backfill materials including average depth of cover at such location,
 - (4) A detailed diagram of all special installations at utility, drainage, and roadway crossings,
 - (5) Location of other utilities encountered,
 - (6) Flow line and rim elevation for all manholes,
 - (7) Certified final estimate for water lines,
 - (8) Size and material of main,
 - (9) Location and size of easements
13. The Applicant shall provide the Water Department with a full size, reduced, and digital copy of the final set of As-built plans within 90 days of completed installation. The digital copy of approved as-built plans must follow the five requirements listed below:
 1. All plans and specifications must be submitted on electronic media (CD or DVD_ROM using an IBM-PC or compatible file format). Acceptable file formats include: AutoCAD *.dwg, AutoCAD *.dxf, ArcView *.shp, or ArcGIS Geodatabase *.mdb. The files must be identical to the printed plan and contain all information included on the written plan. Upon project completion a digital submission of the "as-built" plan is required prior to receiving a Certificate of Completion from the Building Department.
 2. All digital mapping data must be delivered in the Massachusetts State Plane Coordinate system with a horizontal datum of NAD83 and vertical datum of NGVD88.

3. Each feature type must be organized in the CAD or GIS data structure as a separate layer using logical layer names. For example, there must be separate CAD layers for buildings, roads, parcel lines, and wetlands. Having all these features in a single CAD layer or GIS file will not be accepted.
 4. Documentation of the data format must be provided with a description of the CAD layers and list of the types of features placed in each layer. Submission of multiple files must also include a list of the files and their purpose.
 5. The data submitted must include documentation on the method used to gather the data, the name of the person(s) responsible for preparing the data, contact information, an estimation of the horizontal and vertical accuracy, and the date of data capture. All media shall be free from any and all defects and viruses, and labeled as to their contents.
14. All water main extensions must follow Master Plan guidelines.

G. RATES AND CHARGES

1. The customer service charges listed in Appendix 1 – Water Rates and Charges, is based on the fact that there are various costs to the Water Department to service customers, whether or not a metered customer uses any water. The customer service charge does not include a charge for water usage. The charge is based on expenses for meter maintenance, meter reading, billing, collection, and administrative expenses. Each metered customer on the system is responsible for paying a share of these expenses.
2. Water meters are read and accounts are billed quarterly. All water takers will be charged at least the minimum rate per quarter with no exceptions made for seasonal or temporary discontinuance of water service.
3. All bills are due and payable within thirty (30) days and overdue bills are subject to a finance charge of fourteen percent (14%) per annum. Water may be shut off for non-payment of bills or disregard of rules, and before water is turned back on, the delinquent bill, plus any additional service charge for turning water off and on, must be paid. Unpaid water bills constitute a lien on real estate and collections on committed accounts may be made by the Town of Westford through the sale of property. (Section 42A to 42F inclusive of Chapter 40 of the Massachusetts General Laws.
4. Where two or more tenants or occupants are supplied on the same premises, the water may be shut off for failure of a tenant or occupant to comply with the billing rules and regulations even though one or more of the tenants or occupants have made settlement for his share of the total amount due.
5. The current water rates are available at the Water Department Office.
6. The Water Commissioners reserve the right to change the water rates and charges, and/or System Development Charge at any time without advance notice, and to establish special rates and System Development Charges, when in their judgment, the interests of the Town of Westford are best served by so doing.

Appendix 1
Westford Water Department
Schedule of Water Rates and Charges
Effective November 18, 2009

CUSTOMER SERVICE CHARGE

Meter Size	Rate
5/8" Residential	\$16.28
5/8" Non-Residential	\$22.52
1"	\$28.09
1 1/2"	\$33.67
2"	\$48.99
3"	\$161.83
4"	\$203.63

RESIDENTIAL QUARTERLY METERED 3-STEP WATER RATES (all meter sizes)

1 st Step	1 to 2,500 cubic feet	\$4.19 per 100 cubic feet
2 nd Step	2,501 to 10,000 cubic feet	\$5.60 per 100 cubic feet
3 rd Step	>10,000 cubic feet	\$7.64 per 100 cubic feet

NON-RESIDENTIAL QUARTERLY METERED 3-STEP WATER RATES (all meter sizes)

1 st Step	1 to 2,500 cubic feet	\$6.03 per 100 cubic feet
2 nd Step	2,501 to 10,000 cubic feet	\$6.47 per 100 cubic feet
3 rd Step	>10,000 cubic feet	\$6.85 per 100 cubic feet

QUARTERLY FIRE PROTECTION RATES

Size Serviced by	Rate
Up to 2" Line	\$14.00
4" Line	\$82.00
6" Line	\$237.00
8" Line	\$503.00
10" Line	\$905.00
12" Line	\$1,461.00

Appendix 2
Schedule of Service Rates and Charges
Effective July 1, 2008

SERVICE RATES	Rate
First Hour Per Man (Min)	\$50.00
Each ½ Hour Thereafter Per Man	\$25.00
After Normal Working Hours Per Man	\$75.00

INTEREST CHARGE ON OVERDUE BALANCE

To Be Assessed After 30 Days 14.00% Per Annum

OTHER CHARGES	Rate
Meter Test	\$75.00
Meter Turn On/Off	\$50.00
Fire Flow Test	\$600.00
Transfer Fee	\$25.00
Backflow Device Test	\$50.00

Appendix 3

Westford Water Department

Schedule of System Development Charges (SDC)

The purpose of a System Development Charge (SDC) is to collect an equivalent portion of the cost of the present water system from new water customers or customers expanding service. An SDC will be charged to any residential or non-residential customer that expands existing facilities, increases water usage, or increases the size of a meter or service line. Any property adding one or more new apartments or residential units, such as converting a two-apartment structure to more apartments, will also be charged an SDC for the new residential units or apartments.

Any non-residential customer that expands facilities requiring a larger meter shall be charged an SDC equal to the amount for the newer larger size meter at the current SDC less the amount that would be charged for the current size meter at the current SDC. A non-residential customer that decreases the size of the water meter serving the property will not be entitled to any refund; however the property will be allowed to increase the size of the meter to the original size with no additional charge.

System Development Charge (SDC) Effective July 1, 2008

Residential Customers

All new or expanded residential customers, including multi-family living units, apartments and condominiums shall be charged a system development charge based on the number of living units.

Charges shall be at the following amounts:

- Each Single family detached unit: \$2,700
- Two attached residential units: \$4,590
- Three attached residential units: \$6,480
- Four attached residential units: \$8,370
- Each additional attached residential unit: \$1,890

Any club house, irrigation system, laundry or other building or accessory connection within a multi-family residential complex shall be assessed a system development charge based on Non-residential rates.

Non-Residential Customers and Connections

All new or expanded non-residential connections shall be charged a system development charge based on the size of the water meter(s) serving the property with water.

Meter Size	Charge
5/8"	\$2,700
3/4"	4,050
1"	6,750
1 1/2 "	13,500
2"	21,600
3"	43,200

Any meter over 3" shall be charged based on the estimated peak daily demand expressed in thousand gallons per day times \$6,570.

Application Fee (Payable in Advance at Time of Application) \$25.00